

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BARBARA MARCIANO, Individually and on
Behalf of All Others Similarly Situated,

Plaintiff,

vs.

SCHELL & KAMPETER, INC. d/b/a
DIAMOND PET FOODS, et al.,

Defendants.

Civil Action No. 12-cv-02708-SJF-AKT

CLASS ACTION

[PROPOSED] ORDER CONSOLIDATING
THE ACTIONS AND APPOINTING
ROBBINS GELLER RUDMAN & DOWD
LLP AS INTERIM CLASS COUNSEL

STEVEN COHEN, on Behalf of Himself and
All Others Similarly Situated,

Plaintiff,

vs.

SCHELL & KAMPETER, INC. d/b/a
DIAMOND PET FOODS, DIAMOND PET
FOODS INC., and AMAZON.COM, INC.,

Defendants.

Civil Action No. 12-cv-3299

FILED
IN CLERK'S OFFICE
U S DISTRICT COURT E D N Y

★ SEP 21 2012 ★

LONG ISLAND OFFICE

Having considered the motion of Barbara Marciano for Consolidation and Appointment of Robbins Geller Rudman & Dowd LLP as Interim Class Counsel, and the Memorandum of Law and Declaration of Mario Alba Jr. in support thereof, and good cause appearing therefor:

1. The Actions are hereby consolidated; and
2. The following protocol is established for the consolidation of any additional or subsequently filed action arising out of the same facts and circumstances:

(a) Defendants will provide the Court with notice within three (3) days of receipt of any class action filed; and

(b) Any such case would be consolidated into *Marciano v. Schell & Kampeter, Inc. et al.*, No. 12-cv-02708-SJF-AKT (E.D.N.Y).

3. The law firm of Robbins Geller Rudman & Dowd LLP is hereby appointed Interim Class Counsel.

* * *

ORDER

IT IS SO ORDERED.

DATED: 9/21/12

s/ Sandra J. Feuerstein

THE HONORABLE SANDRA J. FEURSTEIN
UNITED STATES DISTRICT JUDGE